

FULL BOARD MEETING MINUTES
of the
BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS
301 S. Park Ave., 4th Floor Large Conference Room, Helena MT
10:02 a.m. to 2:00 p.m.
June 8, 2023

1. Call To Order - Establish Quorum - Introduction of Board & Staff Members Present (0:00:10)

Board Members Present:

Ruhul Amin
Ronald (Ron) Drake
Wallace (Wally) Gladstone
Pat Goodover
Troy Jensen
Tom Pankratz, Chair

Staff Present:

Michele Peterson-Cook, Agency Counsel
Sam Hunthausen, Executive Officer II
Jay Unsworth, Executive Officer I
Pam Hakala, Executive Officer I

Board Members Absent:

Byron Stahly
Ray Gross

2. Approval and Tentative Modification of Agenda Order (1:39)

MOTION (1:57) Ron Drake moved to approve the agenda as noticed. Troy Jensen seconded. The motion carried.

3. Public Opportunity to Comment (02:27)

The presiding officer read the statement. No public present gave comment.

- a. Stuart Walesh, Ph.D., P.E.—Engineering Licensure Exemption Laws (3:30)

4. Board Action (4:39)

a. Non-routine Comity Applications

- i. Theodore Vahle, PEL-LS-APP-86909 (5:31)

MOTION: (17:10) Troy Jensen moved to approve the applicant to sit for the Montana state-specific exam as per MCA 37.1.304. Specifically that the professional surveyor requirements for licensure are substantially equivalent or greater than those of Montana. Ron Drake seconded the motion.

MOTION: (18:32) Troy Jensen withdrew his motion.

MOTION: (18:44) Ron Drake withdrew his second to the motion.

MOTION: (19:45) Troy Jensen moved that the board finds the state of Illinois professional land surveyor requirements for licensure today are substantially equivalent to Montana's requirements. Ron Drake seconded. Further discussion. The motion carried.

MOTION: (23:25) Troy Jensen moved to approve the applicant to sit for the Montana state-specific land surveyor examination through 37-1-304. Ron Drake seconded. The motion carried.

- ii. Karl Pearson, PEL-LS-APP-87080 (1:16:43)

MOTION: (1:24:08) Troy Jensen moved that the board finds the state of Colorado's professional land surveyor requirements for licensure today are substantially equivalent to Montana's. Ron Drake seconded.

MOTION: (1:25:00) Troy Jensen moved to approve the applicant to sit for the Montana state-specific land surveyor exam through MCA 37-1-304. Ron Drake seconded. The motion carried.

iii. Daniel Meyer, PEL-LS-APP-79203 (24:52)

MOTION: (37:14) Troy Jensen moved to approve the applicant to sit for the Montana state-specific land surveyor examination. Wally Gladstone seconded. The motion carried.

iv. Chandra Tangudu, PEL-PE-APP-87224 (38:01)

MOTION: (49:20) Ruhul Amin moved to approve the application. Ron Drake seconded. The motion carried.

v. Michael Stang, PEL-LS-APP-87491 (1:25:52)

MOTION: (1:27:58) Troy Jensen moved to approve the applicant to sit for the Montana state-specific land surveyor exam. Ruhul Amin seconded. The motion carried.

vi. Jarrod Hayes, PEL-LS-APP-86622 (50:02)

MOTION: (1:01:28) Ron Drake moved to approve the applicant to sit for the Montana state-specific land surveyor exam. Troy Jensen seconded. The motion carried.

b. Non-routine Certificate Applications

- i. Logan Jacobs, PEL-LSI-APP-86054 (tabled, no new information)
- ii. Elizabeth Wyss, PEL-LSI-APP-87166 (1:02:15)

MOTION: (1:06:44) Troy Jensen moved to approve the applicant to sit for the NCEES Fundamentals of Surveying exam. Ron Drake seconded. Further discussion.

(1:07:40) At 11:11 a.m. Chair Pankratz moved the board to executive session citing attorney client privilege under Montana Code Annotated 2-3-203 (4) for litigation strategy based on the possibility of a contested case. At 11:24 a.m. the board reconvened open session.

MOTION: (1:09:23) Ron Drake withdrew his second to the motion by Mr. Jensen. Ruhul Amin seconded Mr. Drake's withdrawal. The motion died.

MOTION: (1:15:45) Wally Gladstone moved to table the application pending further information regarding the applicant's business introduction to law class for evaluation against a principles & practices of land surveying course as required in ARM 24.183.303. Troy Jensen seconded. The motion carried.

c. Continuing Education Hardship Exemptions

- i. James Hadley PEL-PE-LIC-38380 (1:29:40)

MOTION: (1:44:55) Wally Gladstone moved to approve the request for continuing education exemption for this renewal period and to direct staff to issue a letter indicating that this is the last exemption issued for the condition noted in the request. Further, staff is to inform him of his ability to place the license in inactive status, which is appropriate if unable to satisfy requirement for continuing education. Ron Drake seconded. The motion carried.

The chair declared a recess at 12:03 p.m. At 12:32 p.m. the full board reconvened.

d. Administrative Rule Discussion (1:50:14)

- i. ARM 24.183.303 DEFINITIONS (1:53:06)
 - 1. Public Opportunity to Comment

No public present gave comment.

2. Board Discussion

ii. ARM 24.183.509 EXAMINATION PROCEDURES (2:10:41)

1. Public Opportunity to Comment

No public present gave comment.

2. Board Discussion

iii. ARM 24.183.1104 UNIFORM STANDARDS FOR CERTIFICATES OF SURVEY (2:20:20)

1. Public Opportunity to Comment

No public present gave comment.

2. Board Discussion

iv. ARM 24.183.1107 UNIFORM STANDARDS FOR SUBDIVISION PLATS (2:20:20)

1. Public Opportunity to Comment

No public present gave comment.

2. Board Discussion

v. NEW RULE CONCEPT: SURVEY REQUIREMENTS FOR PREPARATION OF LEGAL DESCRIPTIONS AND CONVEYANCES OF EASEMENTS (2:29:04)

1. Public Opportunity to Comment

No public present gave comment.

2. Board Discussion

e. **National Council for Examination of Engineers and Surveyors Annual Meeting (2:47:28)**

i. Public Opportunity to Comment

No public present gave comment.

ii. Board Discussion and Possible Direction to Voting Delegate

f. **Montana Land Surveyor Exam Administration Contract (2:53:11)**

i. Public Opportunity to Comment

No public present gave comment.

ii. Board Discussion and Action to Direct Exam Content and Administration

The Board discussed strategies to ensure that the procurement process is executed to prevent an interruption to exam administration.

5. Engagement Reports (2:58:07)

a. NCEES Combined Zone Meeting—Tom Pankratz, Byron Stahly, Ruhul Amin, Sam Hunthausen

6. Correspondence (3:01:40)

a. National Council of Examiners for Engineering and Surveyors Exam Update

7. Meeting Planning (3:01:57)

a. September 7, 2023 Full Board/Screening/Adjudication

b. December 7, 2023 Full Board/Screening/Adjudication

8. Executive Officer Report—Sam Hunthausen (3:02:10)

- a. Budget Report
- b. Exam Report and Licensing Statistics: 2023 Q1
- c. Legislative Report
- d. Division Updates

9. Adjourn (3:17:40)

The chair declared the meeting adjourned at 2:00 p.m.